

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO

**SENTENCING MINUTE SHEET**

CR No.	12-1911-MV	USA vs.	Herrera
Date:	November 19, 2013	Name of Deft:	Jose A. Herrera
Before the Honorable		Martha Vázquez	
Time In/Out:	10:20 a.m. / 10:45 a.m.	Total Time in Court (for JS10):	25 minutes
Clerk:	Linda Romero	Court Reporter:	Susan Sperry
AUSA:	Samuel Hurtado	Defendant's Counsel:	Erlinda Johnson
Sentencing in:	Santa Fe, New Mexico	Interpreter:	
Probation Officer:	Charlotte C De Baca	Sworn?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Convicted on:	<input checked="" type="checkbox"/> Plea <input type="checkbox"/> Verdict	As to:	<input checked="" type="checkbox"/> Information <input type="checkbox"/> Indictment
If Plea:	<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted	Adjudged/Found Guilty on Counts:	
If Plea Agreement:	<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted	No Plea Agreement	Comments:
Date of Plea/Verdict:	11/19/13	PSR:	<input checked="" type="checkbox"/> Not Disputed <input type="checkbox"/> Disputed
PSR:	<input checked="" type="checkbox"/> Court Adopts PSR Findings	Evidentiary Hearing:	<input checked="" type="checkbox"/> Not Needed <input type="checkbox"/> Needed
Exceptions to PSR:			
<b>SENTENCE IMPOSED</b>		Imprisonment (BOP): 48 months	
Supervised Release:	3 years	Probation:	<input checked="" type="checkbox"/> 500-Hour Drug Program
Court recommends ICE begin removal proceedings immediately or during service of sentence			ICE not applicable
<b>SPECIAL CONDITIONS OF SUPERVISION</b>			
<input type="checkbox"/>	No re-entry without legal authorization	<input type="checkbox"/>	Home confinement for _____ months _____ days
<input type="checkbox"/>	Comply with ICE laws and regulations	<input type="checkbox"/>	Community service for _____ months _____ days
<input checked="" type="checkbox"/>	Substance abuse treatment program	<input type="checkbox"/>	Reside residential reentry center _____ months _____ days
<input type="checkbox"/>	Mental health treatment program	<input type="checkbox"/>	Register as sex offender
<input checked="" type="checkbox"/>	No alcohol/intoxicants	<input type="checkbox"/>	Participate in sex offender treatment program
<input checked="" type="checkbox"/>	Submit to search of person/property	<input type="checkbox"/>	Possess no sexual material
<input type="checkbox"/>	No contact with victim(s) and/or co-Deft(s)	<input type="checkbox"/>	No computer with access to online services
<input type="checkbox"/>	No entering, or loitering near, victim's residence	<input type="checkbox"/>	No contact with children under 18 years
<input checked="" type="checkbox"/>	Provide financial information	<input type="checkbox"/>	No volunteering where children supervised
<input type="checkbox"/>	Grant limited waiver of confidentiality	<input type="checkbox"/>	Restricted from occupation with access to children
<input checked="" type="checkbox"/>	Educational or vocational program	<input type="checkbox"/>	No loitering within 100 feet of school yards
<input checked="" type="checkbox"/>	OTHER: No synthetic or designer drugs.		
Fine:	\$ 0	Restitution:	\$ 0
SPA:	\$ 100 (\$100 as to each Count)	Payment Schedule:	<input checked="" type="checkbox"/> Due Imm. <input type="checkbox"/> Waived
OTHER:			
<input type="checkbox"/>	Advised of Right to Appeal	<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement
<input checked="" type="checkbox"/>	Held in Custody	<input type="checkbox"/>	Voluntary Surrender
<input checked="" type="checkbox"/>	Recommended place(s) of incarceration:	FCI Florence, CO, if eligible. Alternatively, FCI Phoenix or FCI La Tuna, in that order.	
<input checked="" type="checkbox"/>	Dismissed Counts:	Government files Motion in open court to dismiss the indictment against defendant and co-defendant Amy Gonzales. Court grants Motion.	

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OTHER COMMENTS	Court addresses defendant. Defense counsel addresses Court. Defendant addresses Court. Defendant identifies family members in Court. Court addresses defendant's nephews in Court. Government counsel addresses Court. Court addresses defendant. Court imposes sentence.
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